



Board for Geologists and Geophysicists

2535 Capitol Oaks Drive, Suite 300A
Sacramento, CA 95833-2926
Telephone: (916) 263-2113
Email: Geology@dca.ca.gov
URL: www.Geology.ca.gov



Board for Geologists and Geophysicists
Board Meeting Agenda

Date: August 3, 2007
Time: 9:00 am
Location: Hearing Room (Suite N-102)
Department of Consumer Affairs
1625 North Market Blvd.
Sacramento, CA 95834

Board Members: William Black, President; Richard Blake, Vice-President; Shirley Husar; James Ashby; Shayan Samii; and Cecilia Yu.

1. Roll Call to Establish a Quorum
2. Public Forum
This time is scheduled to provide the public with an opportunity to address the Board on items not on the agenda; however, the Board may not take action on such items at this time.
3. Minutes
 - Action: The Board will consider adopting minutes of the May 18, 2007 Board meeting.
4. Annual Election
 - Action: The Board will elect a president and vice-president pursuant to California Code of Regulations (CCR) Section 3006(a).
5. Adjourn meeting to convene public hearing to amend California Code of Regulations (CCR) Title 16, Section 3065.
 - Action: The Board will consider adopting proposed regulations that have been appropriately noticed for timely public comment in accordance with Office of Administrative Law requirements.
6. Re-convene Board meeting.
7. Personnel Update (Jeff Sears, DCA "Pay and Classification" Manager)

The Board will query Mr. Sears regarding pay and classification issues as requested by the Board at the December 8, 2006 Board meeting.
8. Executive Officer Report (Rempel)
 - a. ASBOG® Annual Meeting
 - b. Interim Updated Strategic Plan
 - Action: The Board will consider adopting an Interim Updated Strategic Plan.
 - c. Budget update, including 2006-07 Fiscal Year-End Summary and look ahead
 - d. Administrative and Logistical Support Unit update
 - Action: The Board will consider directing the Executive Officer to update the "Records Retention Schedule" in accordance with current requirements.

Protection of the public shall be the highest priority of the Board for Geologists and Geophysicists in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code Section 7810.1)

- e. Cooperative Department of Toxic Substances Control (DTSC) groundwater data retrieval project QA/QC with other public/private partners
 - Action: The Board will consider approving a letter from President Black responding to DTSC Director Gorsen supporting the partnership.
 - f. Professional Standards Unit: Enforcement update
 - g. Update on efforts to resolve consumer protection issues caused by differing performance standards for Professional Geologists and Engineers.
9. Committee Reports
- a. Enforcement Oversight Committee (Magorian, Chair)
 - Action: The Board will consider directing Chair Magorian and Tony Sawyer as a sub-committee of the EOC to evaluate consumer protection and existing performance standards of licensed professionals doing similar type of projects. The sub-committee may be directed to: (1) review complaint cases against professional engineers and professional geologists for similar type of work; (2) determine adherence or compliance to protective standards of care applicable to both licensed occupations; and (3) determine if there are differing standards of care of professional engineers and professional geologists.
 - b. Technical Advisory Committee (Mello, Chair)
 - Action: The Board will consider directing the TAC to complete "occupational analysis" of areas unique to practice in California (as directed at the May 18, 2007 meeting) for presentation to the Board by June 30, 2008.
 - Action: The Board will consider directing the TAC to evaluate current practice in the Engineering Geology (CEG) and Hydrogeology (CHG) specialties for presentation of such "occupational analyses" to the Board by June 30, 2008.
10. Closed Session – Personnel Matters, Examination Questions, Procedures and Results, Administrative Adjudication, and Pending Litigation [Pursuant to Government Code §11126(a) and (b), §11126(c)(1), and §11126(e)(1)]
- a. Personnel matters
 - b. California Supplemental Examination (CSE) (Sterbentz, Chair, Examination Committee)
 - Action: Board will review and consider adopting the California Supplemental CSE recommended by the Examination Committee for administration September 29, 2007.
 - c. Settlement Agreement: Superior Court Case No. 02CC17018. (Note: the specific title of this litigation is not provided since it may jeopardize the Board's ability to conclude existing settlement negotiations in its advantage.)
 - d. Examination procedures and results
11. Open Session to announce results of Closed Session (Black)
12. Board Member Reports
- a. Legislative Committee (Black, Yu):
 - Action: SB 963. The Board will consider adopting a policy implementing one of SB963's proposed provisions to require members to report all "ex parte communications" in the subsequent meeting for recordation in the minutes effective January 2, 2007.
 - Action: AB 1025. The Board will consider taking position on legislation that redefines proof of rehabilitation in occupational licensing.
 - b. Sunset Committee (Ashby, Husar): SB 963
 - c. Other Announcements
13. Adjourn

Note: Starting time is approximate. Agenda items may be taken out of sequence at the discretion of

the President for convenience of the Board and members of the public. The Board will break for lunch at approximately 12:00 noon – 1:00 p.m. as determined by the Board President.

Public Participation in Board Meetings Encouraged

You are encouraged to attend and to participate in Board meetings, which are held in barrier free facilities in accordance with the Americans with Disabilities Act. Times and order of business noted on the meeting agenda are approximate and subject to change.

Board meetings are governed by the Bagley-Keene Open Meeting Act (Government Code Section 11120, et seq), which sets forth the following:

It is the public policy of this state that public agencies exist to aid in the conduct of the people's business and the proceedings of public agencies be conducted openly so that the public may remain informed.

In enacting this article the Legislature finds and declares that it is the intent of the law that actions of state agencies be taken openly and that their deliberation be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

If you wish to address the Board regarding any particular agenda item or during the "Public Forum" on an issue that is not on the agenda, please indicate your interest on a "Public Participation Card" available at the meeting and return it to a Board staff member so you may be heard at the appropriate time. Persons addressing the Board who wish to remain anonymous may do so. The Board President may limit time allotted for public comments according to the number of people who wish to speak.

For additional information or assistance prior to the scheduled public meeting, please contact Christine Doering at (916) 263-2233 or write to the Board for Geologists and Geophysicists, 2535 Capitol Oaks Drive, Suite 300A, Sacramento, CA 95833-2926.